

Department of Transportation
Office of the Secretary
Washington, D.C.

ORDER

DOT 6200.1

7/11/70

**SUBJECT: DOT RESPONSIBILITIES IN THE PLANNING, EVALUATION AND DEVELOPMENT
OF WATER AND RELATED LAND RESOURCES, INCLUDING PORTS AND HARBORS**

1. PURPOSE. To assign responsibility within DOT for functions related to the planning and development of water and related land resources, including ports and harbors.
2. CANCELLATIONS.
 - a. Secretary of Transportation memorandum of January 27, 1968, to the Commandant of the Coast Guard, subject: Waterways, Ports and Harbors; Transportation Programs; Policies with respect to.
 - b. Secretary of Transportation memorandum of March 3, 1970, to the Commandant of the Coast Guard, subject: Transfer of Responsibility for the OST Waterway and Harbor Function to the Coast Guard.
3. REFERENCE. Deputy Under Secretary memorandum of February 6, 1970, to all Secretarial Offices and Operating Administrations transmitting an outline of the FY 1972 Special Study Program.
4. DISCUSSION.
 - a. The Department of Transportation Act (P. L. 89-670) assigns to the Secretary of Transportation broad authority and responsibility regarding the provision of fast, safe, efficient and convenient transportation systems and the proper utilization and preservation of resources and environment. In matters relating to waterways, ports, harbors and other water resource facilities, the law makes no distinction between inland and coastal facilities or the Secretary's responsibilities related thereto.

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- b. Section 7 of the Act charges the Secretary with developing and revising standards and criteria for the formulation and economic evaluation of proposals for the investment of Federal funds in transportation facilities or equipment, with certain exceptions. Among those exceptions are the standards and criteria for the economic evaluation of water resource projects. The development of these is reserved to the Water Resources Council under the Water Resources Planning Act (P. L. 89-80). The Department of Transportation Act expands the Water Resources Council to include the Secretary of Transportation on matters pertaining to navigation features of water resource projects.
- c. Neither the Water Resources Planning Act nor the document, Policies, Standards, and Procedures in the Formulation, Evaluation, and Review of Plans for Use and Development of Water and Related Land Resources, prepared at the direction of the Water Resources Council, specifically limits the purview of the Water Resources Council to inland or fresh water or to riverine or riparian land as differentiated from coastal land and waters. However, the general considerations stated in the Act and the basic duty of the Council, "to maintain a continuing study... of the adequacy of supplies of water necessary to meet the water requirements in each water resource region in the United States..., "indicate that the main, if not exclusive, concern is with the fresh water resources of the United States.
- d. From the above two basic considerations emerge:
- (1) The Secretary's responsibilities in the area of water transportation are not necessarily limited to the areas of interest to the Water Resources Council. Rather, the Secretary is concerned with all waterways, ports, and harbors that serve U. S. transportation.
 - (2) Water resource planning frequently impinges on other modes of transportation as it may affect highway, airport, and railroad location and construction plans. Therefore, the Secretary's interests and responsibilities related to the evaluation of water resource project proposals extend far beyond "matters pertaining to navigation features of water resource projects".
5. CONCLUSION. The proper discharge of the Secretary's responsibilities with regard to water transportation and the evaluation of water resource development projects and proposals requires:
- (1) the assignment of overall cognizance to a single competent agency, and,
 - (2) active participation by all operating administrations in their areas of interest.

This conclusion acknowledges that some operating administrations are currently participating in water resource project evaluations. However, the coordinated participation of the Department as a whole has not reached the required level of activity. It is also recognized that the study of the DOT role in ports and waterways called for in the reference cited in paragraph 3. above may, and very probably will develop information that will require revision of this order. It is issued for the purpose of formalizing the initial organization for water resource management within the Department and facilitating the conduct of the related study.

6. RESPONSIBILITIES.

- a. Assistant Secretary for Policy and International Affairs: Develop, revise as necessary, and recommend major Departmental policy on water resources, waterways, ports, and harbors, and act on related matters referred by the Commandant, U. S. Coast Guard.
- b. Commandant, U. S. Coast Guard:
 - (1) Advance the Department's interests in waterways, ports, harbors, and other water resource projects.
 - (2) Provide information and guidance to the other operating administrations and the OST so as best to serve the Department's interest in waterways, ports, harbors, and other water resource projects.
 - (3) Serve as alternate to the Secretary of Transportation on the Water Resources Council. In this capacity perform the following functions:
 - (a) Designate Departmental member and alternate to serve on the Water Resources Council of Representatives.
 - (b) With the concurrence of the head of the operating administration concerned in each case, designate appropriate Departmental representatives to all other water resource interagency groups (at the headquarters and in the field) on which Departmental participation is warranted.
 - (c) Consult with the heads of the other operating administrations and coordinate with them on water resource matters in which they have an interest.

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- (d) Prepare and coordinate materials as necessary for effective Departmental participation in Water Resources Council activities.
- (e) Obtain reports from Departmental representatives on water resource interagency groups as necessary to keep informed of serious implications to transportation interests.
- (f) Compile consolidated letters of comment covering the Department's position in regard to the construction of specific water resources development projects proposed for construction by the Corps of Engineers, the Bureau of Reclamation, or other Federal agencies.
- (g) Take such actions as will best serve the Department's water resources interests.

c. All Operating Administrations

- (1) Provide for appropriate participation of headquarters and field personnel as Departmental representatives in harbor and water resource interagency groups as agreed with the Commandant, U. S. Coast Guard.
- (2) Provide advice and assistance in the evaluation of water resource projects as they affect transportation considerations.



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